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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Applicant: Flynn ) Art Unit: 2651  
Serial No.: 10/706,393 )  
Filed: November 12, 2003 ) Examiner: Tzeng  
For: **SYSTEM AND METHOD FOR WRITING SERVO** ) HSJ920030231US1  
**TRACK IN SEALED HDD** ) September 22, 2005  
 ) 750 B STREET, Suite 3120  
 ) San Diego, CA 92101  
)

TERMINAL DISCLAIMER

I, John L. Rogitz, certify that, to the best of my knowledge and belief, the entire title to the present U.S. patent application and to U.S. Pat. App. 10/706,254 ("prior application") reside in Hitachi Global Storage Technologies ("the assignee").

Further, the assignee hereby agrees that any patent granted on the above-identified U.S. patent application shall be enforceable only for and during such period that said patent is commonly owned with the prior application, said agreement further being binding on any subsequent successors and assigns. The assignee hereby disclaims the terminal part of the statutory term any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term defined in 35 USC 154 to 156 and 173 as presently shortened by any terminal disclaimer of any patent granted on the prior application.

The assignee does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent granted on the prior application in the event that said patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for separation of legal title as set forth above.

Respectfully submitted,



John L. Rogitz, Reg. No. 33,549

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